

Message Text

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43

ACTION EUR-25

INFO OCT-01 IO-13 ADP-00 AID-20 CEA-02 CIAE-00 COME-00

EB-11 FRB-02 INR-10 NSAE-00 RSC-01 CIEP-02 STR-08

TRSE-00 LAB-06 SIL-01 OMB-01 SS-15 NSC-10 L-03 H-03

PA-03 PRS-01 USIA-15 ABF-01 CPR-02 PER-05 FS-01 RSR-01

/163 W

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R 291015Z AUG 73

FM USMISSION EC BRUSSELS

TO SECSTATE WASHDC 5677

INFO AMEMBASSY BONN

AMBASSY BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY THE HAGUE

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY VIENNA

USMISSION GENEVA

USMISSION OECD PARIS

UNCLAS EC BRUSSELS 4928

E.O. 11652: N/A

TAGS: EFIN, EEC, AFSP

SUBJECT: EC COMMISSION PROPOSAL FOR TVA HARMONIZATION:/
EXEMPTIONS FOR DIPLOMATIC PERSONNEL

REF: A) EC A-322 AUGUST 22, 1973 (NOTAL)

B) BRUSSELS 4875

1. THE EC COMMISSION PROPOSAL REFERRED TO IN REF B WAS
TRANSMITTED TO THE DEPARTMENT UNDER COVER OF REFA,
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WHICH SUMMARIZED THE PROPOSAL IN SOME DETAIL. THE

ENGLISH VERSION OF THE TEXT SUBMITTED UNDER REF A CAN
NOW BE CONSIDERED FINAL.

2. WITH REGARD TO EXEMPTION FROM
TVA ON LOCAL PRODUCTS AND SERVICES FOR DIPLOMATIC
PERSONNEL, EC COMMISSION OFFICIALS HAVE TOLD THE
MISSION THAT ARTICLE XVIN SUB-PARAGRAPH 12 (PAGE 67
IN THE FRENCH TEXT) WAS INTENDED TO BE FLEXIBLE
BECAUSE OF THE DELIBERATE OMISSION OF THE WORD "OFFICIAL"
NEXT TO THE WORD "USAGE" IN THE PHRASE "THE SUPPLY
OF GOODS AND PROVISION OF SERVICES DESTINED FOR THE
USAGE OF DIPLOMATIC AND CONSULAR MISSIONS..."
ACCORDING TO THESE OFFICIALS THIS WORDING WOULD
GRANT EACH MEMBER STATE FLEXIBILITY IN GIVING EXEMPTIONS TO
DIPLOMATIC AND CONSULAR PERSONNEL AS WELL AS TO
ACCREDITED DIPLOMATIC AND CONSULAR MISSIONS.

3. OUR COMMISSION CONTACTS TELL US THAT THERE IS
CONSIDERABLE DISPARITY OF VIEWS AMONG THE MEMBER
STATES ON THE QUESTION OF TVA EXEMPTIONS FOR DIPLOMATS
AND THAT ANY RETICENCE TO GRANT SUCH EXEMPTIONS IS
MORE A QUESTION OF CONVENIENCE AND AVOIDANCE OF COMPLI-
CATED REIMBURSEMENT PROCEDURES THAN OF LOSS OF REVENUE.
ALTHOUGH THE COMMISSION HAS INCLUDED IN ITS PROPOSAL A
SECTION ON EXEMPTIONS FOR DIPLOMATIC MISSIONS AS PART OF
A GENERAL EFFORT TO LIST ALL CATEGORIES OF EXEMPTIONS
ENVISAGED, COMMISSION OFFICIALS FORESEE THAT IN
THE ABSENCE OF AGREEMENT AMONG MEMBER STATES, THE
PROVISION CONCERNING EXEMPTIONS FOR DIPLOMATIC MESSIONS
MIGHT BE DROPPED ALTOGETHER. IN THIS CASE EACH
MEMBER STATE WOULD BE FREE AS AT PRESENT TO FOLLOW WHAT-
EVER PRACTICE IT WISHED. HARTMAN

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30 JUN 2005

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